

**COMMERCIAL USE AUTHORIZATION FOR WATER ACCESS**  
**OPERATING PLAN-ATTACHMENT B**

**General Provisions**

The CUA for Water Access allows the CUA holder to access the Yellowstone River through National Park Service property.

The CUA holder shall be liable for any damages to any property of the United States resulting from the use authorized hereunder.

Violation of any park regulation or terms of this permit may result in issuance of a violation notice, suspension of privileges granted by this permit, or revocation of this permit.

Traffic into and around the Gardiner Service Center is restricted to authorized vehicles only.

Guides must meet clients outside of park concessioner's land assignment.

Guides must unload equipment and clients in an expedient manner and vacate the access area as soon as possible (15 minutes). The unloading area for all river access will be the cul-de-sac of Park Street in Gardiner, Montana.

Guides must not create a disturbance in the residential and administrative area.

**Administrative Requirements**

Section 512 of the Credit Card Accountability Responsibility and Disclosure Act of 2009, P.L. 111-24, 123 Stat. 1764-65, allows persons to possess firearms while in units of the National Park and National Wildlife Refuge Systems if they are possessed in compliance with applicable federal and state law.

The Following are specific requirements for operating in Yellowstone National Park:

CUA holder employees may not possess firearms while on duty. The superintendent, in his or her sole discretion, may grant exceptions to this prohibition upon consideration of a written request from the CUA holder's general manager with a thorough explanation of the basis of the request.

CUA holders are responsible for determining how they will interpret and implement State firearm possession laws in regard to their clients. The CUA and/or its legal counsel should consult the applicable state attorney general's office for access to relevant state firearms laws.

The Concessioner must articulate to the Service how it will implement this law in regards to its operation. The policy should address the two issue points:

1. The on-duty employees in Yellowstone Park, will be prohibited from firearm possession:  
\_\_\_\_ Yes \_\_\_\_ No
2. I will \_\_\_\_ will not \_\_\_\_ allow visitors to carry firearms while participating in this service.

**Staffing and Employment**

At a minimum, one guide on each trip must be currently certified in Standard First Aid and CPR and carry a first aid kit. Wilderness First Aid or Wilderness First Responder certification is recommended. A written list of guides and dates of standard First Aid certification must be provided to the Concessions Management Office prior to the beginning of the operational season. Copies of First Aid cards need not be submitted.

Guides must be at least 18 years of age and trained in basic safety, resource protection, Leave No Trace principles, park rules and regulations and in the requirements of the CUA terms and conditions.

**Operational Requirements**

The CUA holder must ensure that all clients and guides stay at least 100 yards from bears and wolves. A distance of 25 yards is required from bison, elk and other animals. Regardless of any distance, if any wild animal changes its behavior due to your group's presence, you are too close.

The CUA holder or guide must provide all clients with orientation prior to the trip which emphasizes safety, bear

habitat, Leave No Trace principles, park rules and regulations and the nature and demands of the trip.

The CUA holder is responsible for ensuring that all clients are safely equipped and properly clothed prior to the trip.

**Reporting requirements**

CUA holders must provide to the Concessions Management Office a monthly report indicating the date, number of visitors guided for the preceding month of operation. Reports must be received no later than the end of the following month.

**I have read and agree to the Water Access conditions. I hereby confirm that the above conditions will be reiterated to all guides associated with this business.**

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CUA Holder's Signature

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Date

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Title

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Company Name

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